

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Allante Holland

Case No. 3:21MJ151

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 4/9/2021 in the county of Montgomery in the Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

18 USC s. 922(g)(1) & 924(a)(2)

felon in possession of a firearm

This criminal complaint is based on these facts:

See Attached Affidavit of Fred Zollers

☒ Continued on the attached sheet.

Fred Zollers

Complainant's signature

Fred Zollers, TFO of the FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 4/15/21

City and state: Dayton, Ohio



signature

US Magistrate Judge
name and title

AFFIDAVIT

I, Frederick D. Zollers, being duly sworn, does hereby depose and state as follows:

INTRODUCTION

1. I am a sworn law enforcement officer in the State of Ohio for fifteen (15) years. I am presently a sworn member of the Montgomery County Sheriff's Office. I am currently assigned to the Federal Bureau of Investigation's (FBI) Southern Ohio Safe Streets Task Force (SOSSTF) as a Task Force Officer (TFO). I have received training in drug trafficking investigations and have participated in numerous narcotics-related investigations (ultimately leading to successful prosecution) that involved surveillance, gathering evidence of money laundering, interviewing suspected drug traffickers, and supervising the activities of informants who provided information and assistance which resulted in the seizure of narcotics, firearms, and U.S. currency. I have conducted numerous investigations into the unlawful distribution and possession of controlled substances; use and possession of firearms. Based on my training and experience, I am familiar with federal drug laws, and am aware that it is a violation of Title 21, United States Code, Sections 841(a)(1) and 846 to knowingly and intentionally distribute and possess with intent to distribute controlled substances (including heroin and cocaine), as well as to conspire to do the same. Further, I am aware of federal firearm laws and know that possessing firearms in furtherance of a drug trafficking crime is a violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2. In addition, I am aware the possession of a firearm by a convicted felon is a violation of Title 18, United States Code, Section 922(g)(1).

PURPOSE OF AFFIDAVIT

2. This Affidavit is submitted in support of a criminal complaint, and seeks the issuance of an arrest warrant against, Allante E. Holland (hereinafter "**HOLLAND**") for a violation of Title 18, U.S.C. §§ 922(g)(1) and 924(a)(2), that being "felon in possession of a firearm."
3. Along with other law enforcement agents, I have participated in the investigation of **HOLLAND** in connection with the conduct detailed in this Affidavit. As part of the investigation, I have, among other things, discussed information with, and/or reviewed documentation and reports provided by, other law enforcement officers. My knowledge of the facts and circumstances set forth in this Affidavit is thus based upon my own personal observations, as well as information I have received from other law enforcement officers involved in the investigation. For purposes of this Affidavit, I have not distinguished between information of which I have direct knowledge and that of which I have indirect knowledge.
4. I have elected not to include in this Affidavit all the factual details gathered to date during the investigation, but rather I have included only certain information sufficient to establish probable cause to believe that **HOLLAND** has committed a violation of Title 18, U.S.C. §§ 922(g)(1), that being "felon in possession of a firearm."

SUMMARY OF PROBABLE CAUSE

5. On Friday, April 9, 2021, Montgomery County Sheriff's Office Deputy Javan Richardson conducted a traffic stop of a 2004 dark blue Jeep Grand Cherokee with no visible registration; the stop occurred on Embassy Place at Palisades Drive in Harrison Township, Montgomery County, Ohio.

6. Deputy Richardson made contact with the single male occupant driver who was identified as **HOLLAND**. Deputy Richardson smelled the odor of raw marijuana emitting from inside of the Jeep while speaking with **HOLLAND**. Deputy Richardson returned to his cruiser to run a records check on **HOLLAND**. Deputy Richardson learned that **HOLLAND** had an active arrest warrant on indictment through Montgomery County Common Pleas Court (case number 2021CR00240) for violations of felony failure to comply with order or signal of police officer, felony aggravated possession of drugs, obstructing official business and endangering children.
7. Deputy Richardson returned to the Jeep and ordered **HOLLAND** to exit the vehicle. **HOLLAND** exited the Jeep, and as Deputy Richardson was detaining **HOLLAND** in handcuffs, Deputy Richardson observed a revolver handgun sitting on the front passenger seat in plain view. The revolver was within arm's reach of the driver's seat.
8. A probable cause search of the Jeep was conducted. The revolver handgun on the front passenger seat was found to be an Omega-HS-400, .22 caliber revolver. The revolver was loaded with eight live rounds. A plastic baggie of suspected marijuana and a digital scale were located in the center console. An additional digital scale was located on the passenger floor board. Upon completion of the traffic stop investigation, **HOLLAND** was transported and booked into the Montgomery County Jail.
9. On Sunday, April 11, 2021, I listened to two recorded calls that **HOLLAND** made on April 9, 2021 while incarcerated at the Montgomery County Jail. During the first recorded call, **HOLLAND** spoke with a female about being traffic stopped and arrested. Toward the end of the recorded call, **HOLLAND** stated "I just got caught with a mother fucking gun." During the second recorded call, **HOLLAND** spoke with a male about being traffic stopped and arrested. During the recorded call, **HOLLAND** stated: "The gun was in the car." The male asked: "That who" and

HOLLAND said “22.” The male then said “I thought you said you had sold it.” **HOLLAND** then said: “He ain’t want it.”

10. On Sunday, April 11, 2021, I went to the Montgomery County Jail and conducted a post Miranda interview with **HOLLAND**. In sum in and in substance, **HOLLAND** said the revolver was not his but admitted that he had held and touched the revolver that was located on the front passenger seat of the Jeep approximately a week prior at his girlfriend’s apartment on Ryburn Avenue. **HOLLAND** said he believes his DNA would be on the revolver unless someone wiped it down. **HOLLAND** said he was not aware the revolver was in the Jeep, even though it was located in plain view on the front passenger seat within arms reach of where he was seated. **HOLLAND** acknowledge that he knows he is prohibited from possessing or handling firearms due to his prior felony drug conviction. **HOLLAND** admitted the baggie of marijuana and digital scale were his. **HOLLAND** said he smokes approximately a half ounce of marijuana every four to five days. When questioned why he had a digital scale, **HOLLAND** said he sells a little marijuana here and there.

11. Based on a review of **HOLLAND**’s criminal history, I know that **HOLLAND** has prior felony convictions. These include:

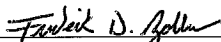
- a) on or about February 25, 2014, in the Montgomery County Common Pleas Court, case number 2013CR02577, for F4 “Carrying Concealed Weapons;”
- b) on or about March 31, 2014, in the Montgomery County Common Pleas Court, case number 2014CR00393, for F4 “Possession of Heroin;”

12. I subsequently spoke with Special Agent (SA) Chris Reed of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, who has training and experience in determining a firearm’s place of

manufacture. SA Reed advised the Omega-HS-400, .22 caliber revolver was manufactured outside the State of Ohio, thus moved in interstate commerce.

13. Based on the facts set forth in the Affidavit, there is probable cause to believe that, on or about April 9, 2021, in the Southern District of Ohio, **HOLLAND** committed a violation of Title 18, U.S.C. §§ 922(g)(1) and 924(a)(2), that being “felon in possession of a firearm.”

Further your Affiant sayeth naught.


Frederick D. Zollers, Task Force Officer
Federal Bureau of Investigation
Southern Ohio Safe Streets Task Force

Subscribed and sworn to before me this 15th day of April, 2021.


Sharon L. Ovington
United States Magistrate Judge

